

REDMOND RIDGE AND TRILOGY OFF-SITE ROAD MITIGATION PROJECT SUMMARY

PROJECT DESCRIPTION	PROJECT NUMBER	PROJECT TRIGGER	STATUS	SUBSTANTIAL COMPLETION
COMPLETED PROJECTS				
A1-1: Novelty Hill Road @ 214th Avenue NE and 218th Ave. NE , Turn lanes and sight distance enhancements.	L99R0021	1,200 vph(2-way) on Novelty Hill Rd between 208th NE and RR.	Completed	Fall 2002
A1-2: Novelty Hill Road @ 208th Avenue NE traffic signal and turn lanes.	L99RW338	125 Single Family DU constructed and occupied on UPD sites	Completed	Winter 2000
A1-3: Novelty Hill Road @ Redmond Road Turn lanes and sight distance enhancements.	L99R0022	125 Single Family DU constructed and occupied on UPD sites	Completed	Summer 2002
A1-4: Novelty Hill Road @ Avondale Road Modify signal and channelization.	N/A	125 Single Family DU constructed and occupied on UPD sites	Completed	prior to 1999
B: Novelty Hill Road (Blakely Ridge to West Snoqualmie Valley Road) Shoulder widening .	L00RW019	When 100 peak hour tips from UPDs combined impact roadway	Completed	Summer 2004
C: NE 133rd Street (Blakely Ridge to 218th Avenue NE) Minor widening, shoulder improvements, sight distance and turn lanes.	L00RW015	1,350 vph (eastbound only) on Novelty Hill Rd. east of 208th Ave. NE. North Back Door	Completed	Sumer 2003
D: 238th Avenue NE (Redmond Ridge to Union Hill Road) Widening, shoulder and landscaping improvements.	L00RW026	1,350 vph (eastbound only) on Novelty Hill Rd. east of 208th Ave. NE. South Back Door	Completed	Fall 2001
G: 208th Avenue NE @Union Hill Road Interim traffic signal	L99RW344	When 100 peak hour trips from UPDs combined impact intersection	Completed	Spring 2001
H2 : 238th Avenue NE @ Union Hill Road (South) Realign road, replace culvert, sight distance and shoulder widening.	L00RW026	Prior to Redmond Ridge Drive connecting to 238th Ave. NE South Back Door	Completed	Winter 2001
I: 238th/236th Avenue NE (SR 202 to Union Hill Road) Widen shoulders.	L00RW026	Peak traffic volumes on 236th Ave NE reach 700 vph (2-way) South Back Door	Completed	Summer 2001
J1: NE 133rd Street (218th Avenue NE to Bear Creek Bridge) Interim shoulder, turn lanes, and sight distance.	L00RW018	When Trilogy connects to NE 133rd St. & 700 peak vph on NE 133rd St. North Back Door	Completed	Spring 2003
K: Novelty Hill Road Frontage @ Trilogy at Redmond Ridge Widening, turn lanes, bike path, sidewalks and signals. (Obligation for Trilogy at Redmond Ridge only)	L9900229	Trilogy at Redmond Ridge plat	Completed	Fall 1999
L: Novelty Hill Road Frontage @ Redmond Ridge Widening, turn lanes, bike path, sidewalks and signals. (Obligation for Redmond Ridge only)	L98R0019	Redmond Ridge Masterplat	Completed	Summer 2002

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REDMOND RIDGE AND TRILOGY OFF-SITE ROAD MITIGATION PROJECT SUMMARY

PROJECT DESCRIPTION	PROJECT NUMBER	PROJECT TRIGGER	STATUS	SUBSTANTIAL COMPLETION
OTHER JURISDICTION & KC CIP PROJECTS				
COMPLETED PROJECTS				
E: Novelty Hill Road at West Snoqualmie Road Traffic signal and turn lane	KC CIP 200301	When 100 peak hour trips from UPDs combined impact intersection	KC CIP Project Quadrant paid fair share 2005	Completed 2006
R2: Avondale Road @ 180th Avenue NE Signal.	N/A	Issuance of 1,125 du building permits for Trilogy UPD	COR project Quadrant paid fair share 2006	Installed
R4: Union Hill Road (178th to 188th Avenue NE) Widen roadway to 5 lanes w/curb, gutter and sidewalk.	Redmond C11	100 single family du permits for Redmond Ridge along with completion of City of Redmond analysis and design	COR project Quadrant paid fair share 2004	Completed 2005
W1: WSDOT SR 202 @ 244th Avenue NE Signal and/or turn lanes.	WSDOT 120214T	When 100 peak hour trips from UPDs combined impact intersection	WSDOT Project Quadrant paid fair share 2000	Signal Installed Sept 2005
W2: WSDOT SR 203 @ NE 124th Roundabout	N/A	When 100 peak hour trips from UPDs combined impact intersection	WSDOT Project Quadrant paid fair share 2003	Installed 2004
PARTIALLY COMPLETED PROJECTS				Est Construction
F: West Snoqualmie Road at NE 124th Street Traffic signal and turn lanes	KC CIP 201101	When 100 peak hour trips from UPDs combined impact intersection	KC CIP Project Quadrant paid fair share 2005	Complete 2010 Signal Installed Feb 2002
R1: Novelty Hill Road @ Avondale Road Widen roadway and intersection. (partial in 2005 by adjacent developer)	KC CIP 100901	King County CIP project contract	Quadrant to pay fair share	2009
PENDING MITIGATION PROJECTS				Est Construction
A2: Novelty Hill Road Additional lanes UPDs to Avondale This mitigation also applies to Redmond Ridge East	KC CIP 100992	When 1350 peak hour trips impact Novelty Hill Road east of 208th after North & South backdoors are open	KC CIP Project Quadrant obligation included in Transportation Mitigation Program payments	2009
H1: 238th Avenue NE @ Union Hill Road (North) Realign intersections and all way stop or possible traffic signal.	KC CIP 101101	South Back Door open	KC CIP Project Quadrant paid fair share 2003	2007
J2: NE 133rd Street (218th Avenue NE to Bear Creek Bridge) Finalize roadway, shoulders, turn lanes, and non-motorized bridge. Improve grade and alignment to 45mph design speed	KC CIP 100701	North Back Door open	KC CIP Project No Quadrant obligation since J1 is completed	Not Constructed Not on 6-yr CIP for 2006-2012
R3: Avondale Road @ Union Hill Road Northbound turn lane.	Redmond C14	Issuance of 100 du building permits for Trilogy UPD	COR project Quadrant paid fair share 2001	2008



King County
Road Services Division
Department of Transportation
Traffic Engineering Section
MS KSC-TR-0222
201 South Jackson Street
Seattle, WA 98104

November 6, 2006

TO: Lisa Lee, UPD Coordinator, Land Use Services Division, Department of Development and Environmental Services

FM: Fatin Kara, Supervising Engineer, Traffic Engineering Section, Road Services Division, Department of Transportation *Fatin*

RE: Traffic Impacts and Data Analysis Unit Review of the Northridge/Blakely Ridge
UPD/FCC Midpoint Review Traffic Analysis

Attached is a copy of the staff analysis of the initial and revised Midpoint Review Traffic Analysis prepared by the Transpo Group.

Per the UPD Permit, the review of Midpoint impacts shall include: "an assessment of whether the cumulative impacts of the projects fall within the range of environmental impacts identified and projected within the SEPA documents; whether such impacts have been adequately mitigated; and whether the projects comply with their respective UPD/FCC and UPD permit conditions regulating their cumulative impacts." The Examiner identified eight issues for evaluation:

1. The accuracy of background (traffic) level forecasts;
2. Levels of traffic generated cumulatively by (Redmond Ridge) and (Trilogy at Redmond Ridge);
3. The accuracy of assumptions regarding traffic generation by senior populations (Trilogy at Redmond Ridge) and business park (portions of Redmond Ridge South) populations;
4. The safety and efficiency of turning movements to and from Novelty Hill Road;
5. The adequacy of transportation management strategies to reduce traffic impacts;
6. The effects of increased traffic volumes, including cut-through traffic, on the 218th/118th (sic) Avenue Northeast Corridor;
7. Identification of any intersections operating at LOS F which are impacted by UPD/FCC traffic;
8. Identification of critical road links impacted by UPD/FCC traffic which are over capacity."

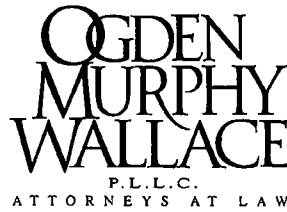
Department of Transportation staff have evaluated the information presented and supporting information from the Applicant's Annual Monitoring Reports. We conclude that the impacts of the Northridge and Blakely Ridge Project were accurately disclosed. Intersections levels-of-service,

and link traffic volumes, whether (from a Code compliance standpoint) previously disclosed as 'acceptable' or 'deficient' are consistent with those published in the environmental documentation for the project. Trip generation for the two projects, where available at this time, is either at or below the rates published in the EIS. Diversion of trips through the 'Lake of the Woods' neighborhood is substantially less than the extent disclosed to the public through the environmental review and hearing process.

The discussion of the Applicant's analysis, and our conclusions to each issue, is attached.

Attachment

cc: Joe Miles, Division Director, Land Use Services Division, Department of Development and Environmental Services
Paulette Norman, P.E., County Road Engineer, Road Services Division (RSD),
Department of Transportation (DOT)
Jennifer Lindwall, Manager, Capital Improvement Project and Planning Section, RSD, DOT
Matthew Nolan, P.E., County Traffic Engineer, Traffic Engineering Section, RSD, DOT
Kris Langley, Senior Engineer, Traffic Engineering Section, RSD, DOT



James E. Haney
jhaney@omwlaw.com

June 28, 2006

Mr. Lanny Henoch
King County Department of Development and
Environmental Services
900 Oakesdale Ave. S.W.
Renton, WA 98055-1219

Re: Redmond Ridge/Trilogy UPD Midpoint Review

Dear Mr. Henoch:

I represent the City of Redmond as its City Attorney. The purpose of this letter is to provide you with the City's comments on the UPD Midpoint Review. As you know, the Midpoint Review is required to address three issues:

1. Groundwater impacts to area wells, including the Dawnbreaker well.
2. Welcome Lake phosphorous loading and eutrofication.
3. The adequacy of Novelty Hill Road and other area roads and intersections impacted by Redmond Ridge and Trilogy at Redmond Ridge development to meet adopted service standards.

It is on the third of these three issues that the City wishes to comment. Clearly, Novelty Hill Road and Avondale Road, the two arterial roadways most impacted by the two UPDs, are inadequate to meet adopted service standards, and significant improvements or alternatives to Novelty Hill Road and Avondale Road must be constructed if UPD development is to continue. In the alternative, if meaningful improvements or alternatives to Novelty Hill Road and Avondale Road are not fully funded and constructed in a timely manner, the County must enforce the permit conditions and refuse to issue any further building permits for Redmond Ridge and Trilogy until the improvement is made or alternative mitigation is identified and funded.

**NOVELTY HILL ROAD AND AVONDALE ROAD ARE INADEQUATE TO SUPPORT
FURTHER UPD BUILDOUT**

As originally adopted by the County in 1989, the Bear Creek Community Plan directed most forecasted growth into the unincorporated area now referred to "Novelty Hill Urban Planned

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Developments.”¹ In order to contain urban traffic impacts from these developments, the primary strategy adopted by the Bear Creek Community Plan was to funnel project traffic onto Novelty Hill Road and from there onto Avondale Road through the City of Redmond and onto SR-520.² As the primary access for the Urban Planned Developments (“UPDs”), Novelty Hill Road was identified as an important regional corridor, the improvement of which by King County was deemed necessary in order “to accommodate cumulative traffic from the Northridge [now Redmond Ridge] and Blakely Ridge [now Trilogy at Redmond Ridge] UPDs at final buildout, as well as other forecasted traffic volumes.”³ Avondale Road was also identified as an important regional corridor for the UPDs, with “phasing” of the UPD development to be “strongly linked to the provision of adequate transportation facilities” on Avondale and other area roadways.⁴

At the time Trilogy was approved in 1995 and at the time Redmond Ridge was approved in 1996, the County had, on its CIP, a proposed improvement of Novelty Hill Road consisting of widening Novelty to three lanes from Avondale Road all the way to the east side of Trilogy.⁵ The County was in the process of preparing an environmental impact statement on the Novelty Hill Road CIP project, an effort that had begun in 1992 and that had undergone some stops and starts due to funding issues. At the time Trilogy and Redmond Ridge were approved, the project was on again and was shown in the King County CIP as being slated for construction within six years with a project budget of \$40.6 million.⁶

Construction of this Novelty Hill Road CIP improvement was a critical assumption underlying approval of Trilogy and Redmond Ridge. In fact, construction was deemed so essential to mitigating the traffic impacts of the UPDs that the County took extraordinary steps in both UPD permits to tie project buildout to the improvement of Novelty Hill Road. In addition to requiring both UPDs to contribute to the Novelty Hill Road improvements through the payment of MPS fees,⁷ the UPD permit conditions required Quadrant to (1) make interim improvements to NE 133rd Street and 236th Avenue NE in order to provide alternative “back doors” to Novelty Hill Road for the UPD traffic, and (2) cease all development in both UPDs if PM peak hour traffic volumes reached 1,350 vehicle trips per hour on Novelty Hill Road after the back doors were

¹ 2004 King County Comprehensive Plan, p. 8-2.

² See, 1989 Bear Creek Plan, Policies BC 42-48.

³ Final Environmental Impact for Northridge UPD at p. 3-33.

⁴ 1989 Bear creek community Plan, Policy BC-45A; 2004 King County Comprehensive Plan, Policy CP-112.

⁵ Blakely Ridge UPD Permit, Attachment C to Attachment 11 at p. C-1; Northridge UPD Permit, Attachment C to Attachment 11 at p. C-1.

⁶ 1996 King County CIP.

⁷ Id.

opened, unless (a) construction funding for the full CIP improvements to Novelty Hill Road was programmed within four years, or (b) alternative mitigation was identified and funded and which either reduced traffic volumes below the 1,350 threshold or provided increased capacity sufficient to accommodate the additional volumes from the UPDs.⁸

The critical importance of the Novelty Hill Road CIP improvements to continued UPD development is underscored by the Midpoint Review process itself. Section 3.9(d) of the Northridge UPD permit requires the midpoint review to analyze the cumulative impacts of Trilogy and Redmond Ridge as they relate to:

3. The adequacy of Novelty Hill Road and other area roads and intersections impacted by Northridge and Blakely Ridge development to meet adopted service standards, including consideration of the following specific topics:
 - i. The accuracy of background traffic level forecasts;
 - ii. Levels of traffic generated cumulatively by Northridge and Blakely Ridge;
 - iii. The safety and efficiency of turning movements to and from Novelty Hill Road;
 - v. The adequacy of transportation management strategies to reduce traffic impacts;
 - vi. The effects of increased traffic volumes, including cut-through traffic, on the 216/118th Avenue Northeast corridor;
 - vii. Identification of any intersections operating At LOS F which are impacted by UPD/FCC traffic; and
 - viii. Identification of critical area road links impacted by UPD/FCC traffic which are over capacity.

Of course, the Novelty Hill Road CIP improvements have not been constructed as envisioned at the time Trilogy and Redmond Ridge were approved. In the absence of those improvements, the current inadequacy of Novelty Hill Road for further UPD buildout has been well-documented by the King County Department of Transportation:

The existing road system within the NHR corridor is inadequate due to inefficient system capacity, traffic safety, social and economic demands, system linkage, and modal interrelationships...

⁸

Northridge UPD Permit, Attachment E to Attachment 11 at p. E-7

Increased transportation capacity along the Novelty Hill Road corridor is needed to accommodate both the existing traffic as well as future increases in traffic based on population and economic growth. The NHR corridor experienced a 48% increase in daily traffic volume in the five years between 1996 and 2001, and significant growth is projected to continue. Traffic congestion analyses have concluded that additional capacity improvements are needed along the NHR corridor to accommodate the anticipated future growth in the area. The existing level of congestion and delay experienced by drivers makes apparent the need for the improvement. For example, the intersection at Avondale Road NE and NE Novelty Hill Road experiences back-ups of approximately one mile at peak hours...

Portions of NHR have horizontal and vertical curves that do not meet current design standards; thus, improvements in road geometry are needed. Much of the existing alignment of NHR consists of a two-lane rural character roadway with shoulders and roadside ditches. There are six horizontal and two vertical curves, which do not meet current design standards and result in 27 intersections and driveways with inadequate stopping and entering sight distances.

...Currently along portions of the roadway, pedestrians, bicyclists, and equestrians must use the existing narrow shoulders adjacent to the travel lanes.⁹

The 48% increase in traffic volumes on Novelty Hill Road between 1996 and 2001 was directly attributable to the continued development of the Redmond Ridge and Trilogy UPDs as well as continued growth in Duvall and Monroe.¹⁰ The current inadequacy of Novelty Hill Road is the inevitable result of this continued growth and development. As the above-quoted language indicates, “[i]ncreased transportation capacity along the Novelty Hill Road corridor is needed to accommodate both the existing traffic as well as future increases in traffic.” (Emphasis added). Clearly, the UPD buildout to date has overtaxed Novelty Hill Road and has resulted in an unsafe and highly congested corridor that is inadequate to meet current needs.

⁹ Statement of Purpose and Need taken from “NEPA/SEPA/404 Merger concurrence Informational Package, Re-Submittal for Concurrence Point One, July 25, 2003, prepared by King County in conjunction with the NEPA/SEPA EIS for the Novelty Hill Road CIP Project.

¹⁰ Redmond Ridge East Final Environmental Impact Statement (November 15, 2004), Appendix E at p. 2.

Further buildout of the UPDs without the construction of the Novelty Hill Road CIP Project will undoubtedly make this intolerable situation even worse. According to the Final EIS issued for the third Novelty Hill UPD, Redmond Ridge East, there are 13 intersections in the Novelty Hill Road/Avondale Road corridor that are predicted to operate at Level of Service (LOS) F in either the morning or afternoon peak hour, or in some cases both, in 2010 in the absence of the Novelty Hill Road CIP Project.¹¹ These intersections stretch along Avondale Road and Novelty Hill Road from the Union Hill intersection with Avondale Road in Redmond through the Eastridge Drive intersection with Novelty Hill Road proposed for the Redmond Ridge East UPD.¹² These intersections are all part of the primary access for Redmond Ridge and Trilogy and are all critical to the traffic impact containment strategy proposed for the UPDs in the 1989 Bear Creek Community Plan. And they are all failing due to the continued development of the UPDs without the Novelty Hill Road CIP improvements.

In addition to the intersection failures, the segment of Avondale Road between Union Hill road and Novelty Hill Road is also failing because of UPD development without the Novelty Hill Road improvements. Currently,

Observations show that, on occasion, westbound queues along Novelty Hill road may be as long as one mile or more, with over ten minutes of delay in queue. Observations show that, at times, queues from the downstream intersections: Avondale Road/95th Street... Avondale Road/Northeast Union Hill Road... extend through the Avondale Road/Novelty Hill Road intersection, causing it to be blocked... During the PM peak hour queuing in the northbound direction can at times extend through the NE 95th Street intersection...¹³

Even with improvements to Avondale Road and the Avondale Road/Union Hill Road intersection currently under construction and/or contemplated by the City of Redmond, the level of service on Avondale is not predicted to improve from its current LOS F.¹⁴ Modeled volume-to-capacity ratios continue to place volumes on the Avondale corridor between Union Hill Road and Novelty Hill Road as high as 1.6 times capacity and the Avondale/Union Hill Road intersection as high as 1.2 times capacity. Under the County's standards, volume-to-capacity ratios above 1.1 on monitored links are considered out of compliance for concurrency purposes. While Avondale Road is in the City and not the County, the fact that the roadway would fail County standards is an important indicator of its inadequacy for continued UPD buildout.

¹¹ Redmond Ridge East Final Environmental Impact Statement (November 15, 2004), Table 6, pp. II-47 through II-51.

¹² Id.

¹³ Redmond Ridge East Draft Environmental Impact Statement, Appendix H, pages 33-35.

¹⁴ Redmond Ridge East Final Environmental Impact Statement, Appendix E.

For all of the reasons set forth above, Novelty Hill Road and Avondale Road are clearly inadequate to support the continued buildout of the Trilogy and Redmond Ridge UPDs. Novelty Hill Road experiences mile-long queues during peak hours, heavy traffic on Avondale Road blocks intersections all the way from the Union Hill Road intersection to the Novelty Hill Road intersection, and 13 intersections along the Avondale Road/Novelty Hill Road corridor are predicted to operate at LOS F during the AM peak, PM peak, or both, by 2010 unless the Novelty Hill Road CIP improvements are done. Midpoint review was set up precisely to address inadequacies such as this. Section 3.9(d)(3)(vii) and (viii) of the UPD permits requires the identification of failing intersections and analysis of critical road links in order to determine the adequacy of the transportation system in the area to support further buildout of Trilogy and Redmond Ridge. Clearly, for the reasons set forth above, the current transportation system is inadequate by any measure.

**IN ORDER FOR UPD DEVELOPMENT TO CONTINUE, KING COUNTY MUST
CARRY THROUGH WITH BUILDING A MEANINGFUL NOVELTY HILL ROAD
IMPROVEMENT**

As stated above, the improvement of Novelty Hill Road from Avondale Road all the way to the eastern edge of Trilogy was a critical prerequisite for the buildout of Trilogy and Redmond Ridge. Also as stated above, that improvement has not happened. Today, more than ten years after the King County Council's approval of Redmond Ridge, the Novelty Hill Road CIP project is still in the environmental impact statement process. A draft SEPA EIS was nearly complete in 1998 when the project was halted due to concerns with traffic forecasting and funding. After the PSRC awarded some federal funds for the project in 2000, the EIS process was restarted at the beginning as all documents had to be revised in order to comply with NEPA. The County continued to work on the NEPA EIS until May 2004, when the County Council, based on a recommendation from the County Executive, completely eliminated the Novelty Hill Road project from the County CIP and pulled all funding from the project. At the urging of Quadrant and the City of Redmond, the project was added back into the CIP in June 2004, albeit at a reduced level of funding. Currently, a Draft EIS expected to be issued in March 2007 and a Final EIS expected to be issued in June 2008.¹⁵ Construction of an as-yet-to-be-defined Phase I of the CIP improvements is scheduled to begin by the end of 2009 and to be completed sometime in 2012.¹⁶ This as-yet-to-be-defined Phase I improvement will likely take one of three forms: the widening and improvement of Novelty Hill Road as originally envisioned or with modifications, the improvement of 196th Avenue NE between Novelty Hill Road and Union Hill Road in order to provide an alternative to the Novelty Hill Road/Avondale Road corridor, or the improvement

¹⁵ KCDOT Description of Novelty Hill Road EIS and CIP Process and Estimated Schedule, Attached as Exhibit C to Redmond Ridge East Settlement Agreement, executed by King County DOT, King County DDES, Quadrant Corporation, and City of Redmond, April 7, 2006.

¹⁶ 2006 King Countywide STP/CMAQ Competition Application for NE Novelty Hill Road (King County CIP #100992 at p. 9.

of 208th Avenue NE to serve as that alternative. The estimated total project cost of the as-yet-to-be-defined Phase I is currently \$40,177,572, while the existing secured funding is only \$31,747,512, or \$8,430,000 short of that estimated cost.¹⁷ Given this funding gap and the County's abysmal track record of stopping, starting, and even eliminating this critical project from its CIP, actual construction of the Novelty Hill Road CIP project is far from assured at the present time.

There are, therefore, only three choices available to the County at this midpoint review juncture: (1) commit to building the Novelty Hill Road CIP improvements by providing whatever funding it takes (including shifting funds from other County CIP projects if necessary to close the \$8.4 million funding gap); or (2) stop all development within the UPDs once Novelty Hill Road reaches capacity; or (3) identify and require the funding and construction of additional mitigation by Quadrant that will either reduce traffic on Novelty Hill Road to an acceptable level or provide additional capacity on Novelty Hill Road sufficient to accommodate additional trips generated by the UPDs. The first of these choices is clearly within the sole and absolute control of King County. In the past King County has started, stopped, eliminated, restored, and generally delayed beyond all reasonable time limits the construction of improvements to Novelty Hill Road. Although the County has recently re-affirmed its intention to construct the Novelty Hill Road CIP project in connection with the pending settlement of the Redmond Ridge East appeals, there is no absolutely binding commitment by the County to do so. As recently as June 2004 when the County eliminated the Novelty Hill Road improvements from the CIP and pulled all funding from the project, the County's legal position was that

The Roads 6-Year CIP is a planning tool. There is no legal obligation created on the County to build any particular project that is included in the adopted CIP. As conditions change, such as has been experienced with the loss of the vehicle license fee, the County Council has the authority to revise the CIP.

Similarly, there has been no legal commitment made by the County in an Urban Planned Development (UPD) agreement to build any particular project. Obligations have been placed on the developer but not on the County.

These are conclusions reached by the Prosecuting Attorney in a review of the provisions of the proposed ordinance [eliminating the Novelty Hill Road project, among others, from the CIP].¹⁸

¹⁷ Id.

¹⁸ June 9, 2004 Staff Report to the Metropolitan King County Council's Budget and Fiscal Management Committee in support of eliminating the Novelty Hill Road project from the CIP.

This legal position is unlikely to have changed as the result of the pending settlement agreement on Redmond Ridge East, as that agreement once again places obligations on the developer (through a phasing of construction tied to the County's progress on the Novelty Hill Road CIP improvements) and not on the County. For this reason, and because the Novelty Hill Road/Avondale Road corridor is already inadequate to serve existing traffic, buildout of the UPDs can only occur if the Metropolitan King County Council makes sure that the Novelty Hill Road CIP improvements are fully funded and constructed to whatever level is necessary in order to make a meaningful difference in the traffic congestion caused by the County's approval of the UPDs. The Metropolitan King County Council must be irrevocably committed to doing what is necessary to make the Novelty Hill Road CIP improvements a reality, including providing the necessary funding and continuing to press the County Executive and County staff to keep the improvements on schedule. Unless that commitment is made, the \$8.4 million funding gap will not be closed, the project will be delayed or eliminated again, and Novelty Hill Road and Avondale Road will remain woefully inadequate to accommodate even existing traffic, much less the traffic that will be generated if UPD buildout continues.

**IF THE NOVELTY HILL ROAD CIP PROJECT IS NOT FUNDED AND BUILT IN A
TIMELY MANNER, ALL UPD BUILDOUT MUST STOP UNLESS ALTERNATIVE
MITIGATION IS IDENTIFIED**

When the UPD permit for Northridge was granted in 1996, the following condition was set forth on Attachment E to Attachment 11:

If after project C and D [the NE 133rd Street and 236th Avenue NE connectors, respectively] are both constructed, the actual PM peak hour eastbound traffic volumes on Novelty Hill Road just east of 208th Avenue Northeast again reach the 1,350 vph threshold and the County does not have construction funding for its Novelty Hill Road Capital Improvement Program project (CIP No. 100992; MPS No. 3056.12) programmed within four years, no further building permits for the UPDs shall be issued unless new mitigation is identified and funded which either reduces the volumes below the 1,350 threshold or provides increased capacity to Novelty Hill Road sufficient to accommodate traffic volumes from the UPDs.¹⁹

The 1,350 vph threshold was used in this condition because it was determined to be the operational capacity of Novelty Hill Road. This PM peak hour operational capacity was exceeded for the first time in 2002, and the 236th Avenue NE connector was constructed and opened on August 29, 2002.²⁰ The PM peak hour operational capacity was exceeded for the

¹⁹ Northridge UPD Permit, Attachment E to Attachment 11 at p. E-7

²⁰ Fourth Annual UPD Traffic Monitoring Report (December 2002) at p. 5.

second time in 2004 and the NE 133rd Street connector was constructed and opened on July 1, 2004.²¹ As of December 2004, it was estimated that the 1,350 vph eastbound PM peak hour capacity would be exceeded for the third time in 2005.²² Meanwhile, westbound AM peak hour volumes have exceeded the 1,350 vph capacity at the Novelty Hill Road/208th Avenue NE intersection since 2003²³ and are expected to continue to exceed that capacity in 2010.²⁴ The adverse traffic conditions that prompted the County to condition the Northridge UPD permit as provided on Attachment E to Attachment 11 have thus clearly occurred or are about to occur. Under these circumstances, it would be irresponsible for the County to allow UPD buildout to continue unless the Novelty Hill CIP project is fully funded or alternative mitigation is funded and built, as required by the quoted condition.

While the Novelty Hill Road CIP project is programmed to begin construction within four years from today, it is clearly not funded for construction as required by the condition. Of the estimated \$40.1 million required to build the as-yet-to-be-defined Phase I improvement, only \$31.7 million in funding has been identified.²⁵ The remaining \$8.4 million is anticipated to come from as-yet-unsecured federal and TIB grants.²⁶ Those funds may or may not ever be secured, and if they are not, King County is not legally obligated to build the Novelty Hill Road CIP project and may decide not to do so. With the funding of the project so uncertain, the Novelty Hill Road CIP project should not be counted on by anyone to alleviate the traffic congestion in the area or to fulfill the requirements of the threshold condition. Therefore, unless the County does what is necessary to make the Novelty Hill Road CIP project a reality, the County must stop the UPD development or require additional mitigation by the developer to mitigate the capacity problems on Novelty Hill Road. The City is unaware of any such alternative mitigation being identified at this time. Stopping development may thus be the only option available to ensure that the traffic impacts from UPD buildout in the absence of the Novelty Hill CIP improvements do not occur.

CONCLUSION

The City of Redmond appreciates the opportunity to comment on the UPD traffic issues as part of the Midpoint Review process. The City has watched the UPDs with great interest over the

²¹ Sixth Annual UPD Traffic Monitoring Report (December 2004) at p. 5.

²² Id.

²³ Redmond Ridge East Draft Environmental Impact Statement, Appendix H at p. 29.

²⁴ Redmond Ridge East Final Environmental Impact Statement at p. II-36.

²⁵ 2006 King Countywide STP/CMAQ Competition Application for NE Novelty Hill Road (King County CIP #100992 at p. 9.

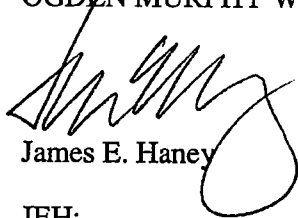
²⁶ Id.

Mr. Lanny Henoeh
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years and has watched traffic conditions on Novelty Hill Road and Avondale Road deteriorate as the UPDs have built out. The City has heard promise after promise from King County about how the traffic impacts of the UPDs will be mitigated when the County builds the Novelty Hill Road CIP project and the City has waited ten long years from the approval of Redmond Ridge East for that improvement to happen. Obviously, the improvement hasn't happened to date and while the City is hopeful that the latest assurances from the County as part of the pending settlement agreement on Redmond Ridge East will prove to be valid, the continued reliance on uncertain grant funding for the project financing is of grave concern to the City. Novelty Hill Road and Avondale Road are, by the County's own admissions, simply inadequate to support continued buildout of Redmond Ridge and Trilogy and unless the County steps up and commits to doing whatever it takes to make the Novelty Hill Road CIP project a reality, the County has no option but to stop that buildout. No one - not the City, not the County, not Quadrant, and not the citizens who are forced to use Novelty Hill Road and Avondale Road as their only means of getting to and from work and home - should have to tolerate the mess that the UPD traffic and the County's failure to complete the CIP project has made of this area. The City hopes that the County will do what is necessary to remedy this situation.

Very truly yours,

OGDEN MURPHY WALLACE, P.L.L.C.



James E. Haney

JEH:

cc: Mayor Rosemarie Ives
Nina Rivkin
David Rhodes
Donald Cairns
Jane Christenson
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Urban Planned Development (UPD) Natural Resources Monitoring

